

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CRIMINAL APPEAL NO. 804 OF 1989

The State of Maharashtra .. Appellant

versus

Ravi Krishnappa Kurbur .. Respondents

...

Mr.A.M. Shringarpure for the appellant.

None for the respondent.

CORAM : V.M. KANADE, J

DATED : 16th September 2004.

ORAL JUDGEMENT :-

1. Heard the learned APP appearing on behalf of the State.

2. This is an appeal filed by the State challenging the order passed by the Metropolitan Magistrate, 33rd Court, Ballard Pier, Mumbai whereby that order dated 31st August 1989, the accused who was a juvenile at the time when the said offence was

committed was directed to be detained for a period of two years in Borstal school. The State has challenged this order and seeking modification of the order by enhancing the period of detention from 2 years to 3 years. The accused was 19 years old when the said order was passed in 1989. The appeal has now become infructuous. He has crossed the age of 21 and therefore, he cannot be continued to be detained in the juvenile school.

3. Appeal accordingly is dismissed.

V.M. KANADE, J